

Kerry Faughnan, Esq.
Nevada Bar No.12204
P.O. Box 335361
North Las Vegas, NV 89086
(702) 301-3096
(702) 331-4222- Fax
Kerry.faughnan@gmail.com
Attorney for Plaintiff/ Counterdefendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LN MANAGEMENT LLC SERIES 8246
AZURE SHORES

Plaintiff,

v.

ARLENE G. DIZON, and individual;
WELLS FARGO BANK N.A.; WORLD
SAVINGS BANK, FSB; and DOES 1
through 10; and ROE BUSINESS
ENTITIES 1 through 10, inclusive;

Defendants.

AND ALL RELATED CLAIMS

Case No. 2:13-CV-1307-JCM-PAL

ORDER

This case having come on regularly before the above-entitled Court for hearing on August 15, 2014 on Plaintiff/Counterdefendant's Emergency Motion for Temporary Restraining Order, Plaintiff/Counterdefendant appearing by and through their attorney, Kerry P, Faughnan, Esq. and Defendant/Counterclaimant, Wells Fargo Bank,N.A., appearing by and through its attorney, David J. Merrill, Esq of the Law Firm of David J. Merrill P.C. The Court having examined all documents and pleadings on file herein, the Court having heard argument, and the Court being fully advised in the premises, the Court is aware that there are a number of cases currently pending in the Nevada Supreme Court that address the same or similar facts as the matters at issue in this case.

The Court recognizes that there is disagreement among the state and federal courts regarding the interpretation of Nev. Rev. Stat. § 116.3116. Therefore, out of respect for Nevada's sovereignty and interest in having its statutes interpreted by its own judges, the court finds it appropriate to maintain the status quo by granting a Preliminary Injunction in favor of Plaintiff.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff/Counterdefendant's Emergency Motion for Temporary Restraining Order (Doc # 35), be, and Preliminary Injunction hereby is, GRANTED.

IT IS FURTHER ORDERED that Defendant/Counterclaimant, Wells Fargo Bank, N.A. as well as its officers, agents, servants, employees, attorneys, and persons in active concert or participation with them who receive actual notice of this order are hereby enjoined and restrained from any foreclosure sale of the real property located at 8246 Azure Shores Ct, Las Vegas, Nevada 89117.

IT IS FURTHER ORDERED that Plaintiff/Counterdefendant will maintain the real property at issue in its current condition; and Plaintiff/Counterdefendant is to pay of all applicable fees, assessments and taxes.

IT IS FURTHER ORDERED that Plaintiff shall post a bond with the Court in the amount of \$1,500.00.

DATED August 26, 2014.


UNITED STATES DISTRICT JUDGE

Respectfully Submitted By:

/s/Kerry P. Faughnan
Kerry P. Faughnan, Esq.
PO Box 335361
North Las Vegas, NV 89033
(702) 301-3096
(702) 331-4222-Fax
Attorney for Plaintiff/Counterdefendant

Approved as to Form and Content:

No Response from Counsel
David J. Merrill, Esq.
Morgan F. Shah, Esq.
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
(702) 566-1935
(702) 993-8841-Fax
Attorneys for Wells Fargo Bank, N.A.